

REMARKS

Claims 1-5, 7-18, 20-30, and 32-38 are pending in the application. Claims 6, 9, and 31 have been cancelled. Claims 1-2, 14-15, and 27 are the only independent claims. Claims 1-2, 4, 7-8, 14-15, 20-21, 27 and 32, have been amended hereby. No new matter has been added by these amendments. Applicant would like to thank the Examiner for withdrawing the rejection under 35 USC §112 first and second paragraph. Favorable reconsideration is respectfully requested.

Claims 1-38 are rejected under 35 U.S.C. § 102(e) as being anticipated by Nishimoto (Pub No. 2002/0143648), filed August 6, 2001. Applicant respectfully traverses this rejection.

Claim 1 has been amended to include the limitations of dependant claim 6. Amended claim 1 explicitly recites “accessing said account-subscriber table using the account name of said user terminal that is connected to the Internet service provider to **retrieve the subscriber line number** and then **certifying said user terminal that is connected to said Internet service provider through checking conditions of said subscriber line.**” (Emphasis added). The method as recited in amended claim 1 is not disclosed in the cited figures or the cited language of Nishimoto.

In rejecting the limitations of claim 6, the Final Office Action cites Figure 5 of Nishimoto. Figure 5 merely shows a user database that contains the identification number of the mobile telephone, the user ID, mobile telephone number, address and mail address for sending data to mobile telephone. Neither Figure 5 nor its accompanying disclosure teaches or suggests “certifying said user terminal that is connected to said Internet service provider through checking conditions of said subscriber line” as required by claim 1. The specification of Nishimoto in describing Figure 5 only describes the user database where the “user ID is the information for specifying the user utilizing the online shopping in this online shopping system. The name and address are the same as those provided by the user when signing a contract for the mobile telephone line of the communication company. The identification number is information for identifying the hardware of mobile telephone 200, and is unrewritable.” Paragraph 64.

This section, at best, discloses the identification number is used to identify the mobile telephone from which the order is being placed. However this section does not disclose **retrieving the subscriber line number** and then **certifying said user terminal that is connected to said Internet service provider through checking conditions of said subscriber line**. Nishimoto does not describe any use of the telephone number illustrated in Fig.5, let alone using it for a certification processes recited in claim 1. Therefore, the method as recited in claim 1 is not taught or suggested in Nishimoto and claim 1 is also allowable for at least this reason.

Further the most relevant sections of Nishimoto, paragraphs 100-101, used in rejecting claim 1 only go so far as to state that “[w]hen server 100 receives the order data (FIG. 7) from mobile telephone 200 (YES in S100), server 100 reads out the user ID from the user database (FIG. 5) based on the identification number included in the received order database. If the user in question is already registered (YES in S104), the name and address of the user, who sent the order data, are read out from the user database (FIG. 5) based on the identification number (S108). Server 100 prepares transfer data (FIG. 8) based on the read name and address of the user (S110), and sends the transfer data (FIG. 8) to computer 300 of the online shopping dealer (S112).”

This quoted section of Nishimoto at best discloses transfer of data to a computer of the online shopping dealer and does not disclose the limitation that requires retrieving the subscriber line number and certifying the user terminal connected to the Internet service provider has the same subscriber line number for certification purposes. Therefore, the method as recited in claim 1 is not taught or suggested in Nishimoto and claim 1 is also allowable for this reason.

Independent claims 2, 14, 15 and 27 include the limitation of accessing “said account-subscriber table using the account name of said user terminal that is connected to the Internet service provider to retrieve the subscriber line number and then certifying said user terminal is connected to said Internet service provider through checking conditions of said subscriber line” as recited in claim 1 but for corresponding system, program and method claims. Therefore, claims 2, 14, 15 and 27 are allowable for at least the reasons discussed above in connection with claim 1.

All other claims are dependent claim and include all of the limitations found in the independent claims. These dependent claims have further limitations which, in combination with the limitations of the independent claims are neither disclosed nor suggested in the art of record. Therefore, all the dependant claims are allowable.

In view of the above Amendment, Applicant believes the pending application is in condition for allowance. No fee is believed to be due for this Amendment. Should any fees be required, please charge such fees to Deposit Account No. 50-2215.

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Respectfully submitted,

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